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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

07 NOV -2 AM 10: 18

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. **Alejandro SOSA-Cobarrubias,** Defendant	Magistrate Docket No. '07 MJ 2583
	COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **November 1, 2007** within the Southern District of California, defendant, **Alejandro SOSA-Cobarrubias,** an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 2nd **DAY OF November 2007**

Louisa S. Porter
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Alejandro SOSA-Cobarrubias

PROBABLE CAUSE STATEMENT

On November 1, 2007, at approximately 2:30 AM, Senior Patrol Agent Ian Dickey responded to a seismic sensor activation in an area known as the 57 Wash. This area is located approximately two miles west of the San Ysidro, California, Port of Entry and about 300 yards north of the United States / Mexico International Boundary. Agent Dickey searched the area and found four individuals attempting to conceal themselves in brush and a water run-off channel. Agent Dickey identified himself as a Border Patrol Agent and then conducted an immigration inspection on all four individuals. All four including one later identified as the defendant **Alejandro SOSA-Cobarrubias** admitted to being a citizens and nationals of Mexico, not in possession of any immigration documents that would allow them to legally enter or remain in the United States. All four were arrested and transported to Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **September 12, 2007** through **Nogales, Arizona.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights and stated that he understood them and was willing to answer questions without the presence of an attorney. The defendant admitted to being a citizen and national of Mexico without any immigration documents allowing him to enter or remain in the United States legally. He further admitted that he has been previously removed from the United States and has never applied for permission to re-enter the United States since his removal. He admits that he entered into the United States illegally and was traveling to San Ysidro, California.